

## § 52.272

## 40 CFR Ch. I (7–1–11 Edition)

(32) Tulare County APCD.  
(i) Rules 111 and 402(f), submitted on November 10, 1976.  
(33) Tuolumne County APCD.  
(i) Rule 404, submitted on February 10, 1977, and Rule 402(f), submitted on June 30, 1972, and previously approved under 40 CFR 52.223.  
(34) Ventura County APCD.  
(i) Rule 32, submitted on July 19, 1974.  
(ii) Rule 32, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).  
(35) Yuba County APCD.  
(i) Rule 4.5, submitted on July 25, 1973.  
(b) The following regulations are disapproved since they lack explicit provisions to assure that that NAAQS will not be exceeded while equipment breakdown periods are in effect.  
(1) Fresno County APCD.  
(i) Rules 110(B), *Variance Required*, and 519, *Emergency Variance*, submitted on January 2, 1979.  
(2) Kern County APCD.  
(i) Rules 111 (b), *Equipment Breakdown*, and 519, *Emergency Variance*, submitted on January 2, 1979.  
(3) Modoc County APCD.  
(i) Rule 2:15, *Breakdown Conditions; Emergency Variances*, submitted on May 7, 1979.  
(4) Imperial County APCD.  
(i) Rule 111 (B), *Equipment Breakdown*, submitted on December 24, 1979.  
(ii) Rule 517, *Emergency Variance*, submitted on December 24, 1979.  
(5) Butte County AQMD.  
(i) Rule 275, *Reporting Procedures for Excess Emissions*, submitted on May 10, 1996.  
(6) Shasta County AQMD.  
(i) Rule 3:10, *Excess Emissions*, submitted on May 10, 1996.  
(7) Monterey Bay Unified Air Pollution Control District.  
(i) Rule 214, *Breakdown Condition*, submitted on October 30, 2001.  
(c) The following regulations are disapproved because they exempt sources from applicable emissions limitations during malfunctions and/or fail to sufficiently limit startup and shutdown exemptions to those periods where it is technically infeasible to meet emissions limitations.  
(1) South Coast Air Quality Management District.

(i) Rule 429, submitted on January 28, 1992.  
(d) The following regulations are disapproved because they merely describe how state agencies intend to apply their enforcement discretion and thus, if approved, the regulations would have no effect on the State Implementation Plan.  
(1) Antelope Valley AQMD.  
(i) Rule 430, *Breakdown Provisions*, submitted on February 16, 1999.  
(2) Kern County APCD.  
(i) Rule 111, *Equipment Breakdown*, submitted on July 23, 1996.  
(3) Mojave Desert AQMD.  
(i) Rule 430, *Breakdown Provisions*, submitted on January 24, 1995.  
[43 FR 3277, Jan. 24, 1978]  
EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.271, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at [www.fdsys.gov](http://www.fdsys.gov).  
**§ 52.272 Research operations exemptions.**  
(a) The requirements of § 51.281 of this chapter are not met because the following regulations allow exemptions to be granted from the applicable emission limitations, thereby potentially rendering the applicable limitations unenforceable. Furthermore, the regulations are inconsistent with the Clean Air Act, because the regulations could permit violations of the National Ambient Air Quality Standards under some circumstances. Therefore, the following regulations are disapproved:  
(1) Bay Area APCD.  
(i) Regulation 2, Division 1, sections 1214 to 1214.3, submitted on July 25, 1973.  
(ii) Regulation 3, Division 1, sections 1205 to 1205.3, submitted on July 25, 1973.  
(2) El Dorado County APCD.  
(i) Rule 203(D), submitted on November 4, 1977.  
(3) Great Basin Unified APCD.  
(i) Rule 423, submitted on November 4, 1977.  
(4) Los Angeles County APCD.  
(i) Rule 441, submitted on June 6, 1977.  
(5) Placer County APCD.  
(i) Rule 203(D), submitted on October 13, 1977.

## Environmental Protection Agency

## § 52.273

- (6) Riverside County APCD.
  - (i) Rule 441, submitted on June 6, 1977.
- (7) Sacramento County APCD.
  - (i) Rule 30, submitted on January 22, 1974.
- (8) San Bernardino County APCD.
  - (i) Rule 441, submitted on June 6, 1977.
- (9) Southern California APCD.
  - (i) Rule 441, submitted on August 2, 1976.

[42 FR 42226, Aug. 22, 1977]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.272, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at [www.fdsys.gov](http://www.fdsys.gov).

### § 52.273 Open burning.

(a) The following rules or portions of rules are disapproved because they contain exemptions to open burning (including open agricultural burning) prohibitions, that do not satisfy the requirements of section 110 of the Clean Air Act:

- (1) Amador County APCD.
  - (i) Rules 308 and 312, submitted on April 21, 1976.
  - (ii) Rule 304, submitted on October 13, 1977.
  - (iii) Rules 302(G) and 322, submitted on October 15, 1979.
- (2) Calaveras County APCD.
  - (i) Rules 304 and 322, submitted on October 13, 1977.
- (3) Del Norte County APCD.
  - (i) Rule 410(c)(2) and the following portions of Regulation 2: General prohibitions (all of page 1), paragraph (f) of Article I, paragraphs (f) and (g) of Article V, and paragraph (f) of Article VI, submitted on November 10, 1976.
- (4) El Dorado County APCD.
  - (i) Rules 302(C), 304, 307, 319, and 322, submitted on November 4, 1977.
  - (ii) Rules 302 (C), 318, and 321, submitted on May 23, 1979.
- (5) Fresno County APCD.
  - (i) Rules 416.1(e)(1), (e)(3), and (e)(4), submitted on October 23, 1974.
  - (ii) Rule 416.1(c)(1), submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).
- (6) Humboldt County APCD.
  - (i) Rule 410(c)(2) and the following portions of Regulation 2: General prohibitions (all of page 1), paragraph (f)

of Article I, paragraphs (f) and (g) of Article V, and paragraph (f) of Article VI, submitted on November 10, 1976.

- (ii) (A)–(C) [Reserved]
  - (D) Rules 312 (B) and (C), and 401 (D.1) and (D.2).
- (7) Kern County APCD.
    - (i) Rule 417(I)(A), submitted on November 10, 1976.
  - (8) Madera County APCD.
    - (i) Rules 416.1(e)(1), (e)(3), and (e)(4), submitted on January 10, 1975.
    - (ii) Rule 416.1(c)(1), submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).
  - (9) Mariposa County APCD.
    - (i) Rules 302(C), 304, 319, and 322, submitted on June 6, 1977.
  - (10) Mendocino County APCD.
    - (i) Rule 410(c)(2) and the following portions of Regulation 2: General prohibitions (all of page 1), paragraph (f) of Article I, paragraphs (f) and (g) of Article V, and paragraph (f) of Article VI, submitted on November 10, 1976.
    - (11) Merced County APCD.
      - (i) Rule 416(h), submitted on August 2, 1976.
      - (ii) Rules 416.1(III)(A), (V)(A), (V)(B), (V)(C), and (V)(D), submitted on August 2, 1976. (Rule 416.1(c)(2), submitted on June 30, 1972, and previously approved, is retained. Rule 416.1(a)(1), submitted on June 30, 1972, and previously approved, is retained for the purpose of enforcing Rule 416.1(c)(2).)
    - (12) Monterey Bay Unified APCD.
      - (i) Rules 409(a), 409(a)(5), and 410(b)(1), submitted on January 10, 1975.
    - (13) Nevada County APCD.
      - (i) Rules 302(C), 307, 314, and 322, submitted on April 10, 1975.
      - (ii) Rules 304 and 319, submitted on June 6, 1977.
      - (iii) Rule 307, submitted on October 15, 1979.
    - (14) Northern Sonoma County APCD.
      - (i) Rule 410(c)(2) and the following portions of Regulation 2: General prohibitions (all of page 1), paragraph (f) of Article I, paragraphs (f) and (g) of Article V, and paragraph (f) of Article VI, submitted on November 10, 1976.
    - (15) Placer County APCD.
      - (i) Rules 302(C), 302(G), 304, 307, 314, 319, and 322, submitted on October 13, 1977.
      - (ii) Rules 303, 306, and 322, submitted on October 15, 1979.